

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14781 of Ivorine Forsythe, as amended, pursuant to 11 DCMR 3107.2, for a variance from the prohibition against allowing required parking spaces to be located in the area between a building line and lot line abutting a street (Sub-section 2116.4) and from the provisions of Sub-section 2116.2 to permit parking in the front yard of the premises in order to construct a three-story office building in a C-2-A District at premises 3101 Martin Luther King Avenue, S.E., (Square 5989, Lot 32).

HEARING DATE: April 20, 1988

DECISION DATE: April 20, 1988 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 5-0 (Maybelle Taylor Bennett, Paula L. Jewell, Charles R. Norris, William F. McIntosh, and Carrie L. Thornhill to grant).

FINAL DATE OF ORDER: May 20, 1988

ORDER

The Board granted the application by its Order dated May 20, 1988, subject to the condition that the parking layout be in accordance with the plat marked as Exhibit No. 28 of the record. By letter dated July 8, 1988, the applicant submitted a timely request for modification of the previously approved plans. The request for modification is based on the applicant's inability to obtain approval by the Department of Public Works of the parking layout shown on Exhibit No. 28 of the record. The applicant submitted a revised plan showing the relocation of the parking spaces to the Martin Luther King, Jr. Avenue side of the property.

By memorandum received on July 15, 1988, the Department of Public Works advised that the originally approved plan was not acceptable. The DPW further advised that it had no objection the relocating the parking spaces to the Martin Luther King, Jr. Avenue side of the property due to the existence of two driveways and sufficient space to accommodate both pedestrian and vehicular traffic. There was no opposition to the proposed modification of plans.

Upon consideration of the motion, the memorandum from the Department of Public Works and its final Order, the Board concludes that the proposed modification of plans is

minor in nature and does not substantially alter the size, shape or configuration of the project as initially approved. The material facts relied upon by the Board in approving the application are still relevant. There was no opposition to the proposed modification. It is therefore ORDERED that the proposed modification of plans is APPROVED subject to the CONDITION that the parking layout shall be as shown on the plat marked as Exhibit No. 31A of the record. In all other respects the Order of the Board, dated May 20, 1988, shall remain in full force and effect.

DECISION DATE: July 28, 1988

VOTE: 5-0 (Maybelle Taylor Bennett, William F. McIntosh, Paula L. Jewell and Carrie L. Thornhill to grant; Charles R. Norris to grant by proxy).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: _____

AUG 29 1988

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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BOARD OF ZONING ADJUSTMENT



APPLICATION No. 14781

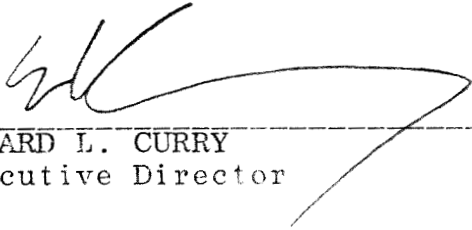
As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated AUG 29 1988, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Curtis Franks
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Ivorine Forsythe
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Washington, D.C. 20032

Mr. Benjamin Thomas
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Advisory Neighborhood Commission 8C
3125 MLK Jr. AVE, SE
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EDWARD L. CURRY
Executive Director

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C Franks

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